

MEETING #46 - December 18

At a Continued Meeting of the Madison County Board of Supervisors held a continued meeting held on December 18, 2019 at 5:00 p.m. in the Board Auditorium located at 414 N. Main Street:

PRESENT: Jonathon Weakley, Member
Kevin McGhee, Member
Charlotte Hoffman, Member
Amber Foster, Vice-Chair
Carty Yowell, Supervisor-elect
Jack Hobbs, County Administrator
Sean Gregg, County Attorney

ABSENT: R. Clay Jackson, Chair (arrived late)

Call to Order, Pledge of Allegiance & Moment of Silence

Determine Presence of a Quorum/Adopt Agenda

Vice Chair Foster called the meeting to order and led those present in the Pledge of Allegiance and a Moment of Silence. Mr. Weakley asked that everyone remember Planning Commissioner Pete Elliott who was recently hospitalized.

A quorum was established.

The following items were added to the Agenda:

- ***1b: Consideration of Resolution #2019-18(a) [to correct Resolution 2019-18]***
- ***1c: Consideration of an amended Criglersville Museum House Lease***

Supervisor Hoffman moved that the Agenda be adopted as amended, seconded by Supervisor Weakley. ***Aye: Foster, Weakley, McGhee, Hoffman. Nay: (0). Absent: Jackson.***

Public Comment

1. Consideration: Supplement 20-22 for IT Budget Appropriation (\$97,668) (Costello)

After a presentation by Director of Finance/Assistant County Administrator Costello:

Supervisor Weakley moved that the Board approve FY20 Supplement #22, having the effect moving \$97,667.80 from earmarked contingency accounts to the data processing and technology expense budget, seconded by Supervisor McGhee. ***Aye: Foster, Weakley, McGhee, Hoffman. Nay: (0). Absent: Jackson.***

2. Resolution #2019-18(a), having the effect of correcting Resolution # 2019-18

Supervisor McGhee moved that the Board approve Resolution #2019-18(a), having the effect of correcting Resolution # 2019-18, as proposed, seconded by Supervisor Weakley. ***Aye: Foster, Weakley, McGhee, Hoffman. Nay: (0). Absent: Jackson.***

The resolution read as follows:

RESOLUTION # 2019-18(a)

**RESOLUTION TO APPROPRIATE THE FISCAL YEAR 2020 MADISON COUNTY CAPITAL BUDGET FOR
NOVEMBER 2019**

WHEREAS, on May 14, 2019 the Madison County Board of Supervisors adopted a Capital Budget for Madison County for Fiscal Year 2020 in the amount of \$5,575,682; and

WHEREAS, the Fiscal Year 2020 Adopted Capital Budget includes school operations and capital funding for the Madison County School Division equaling \$604,105; and

WHEREAS, the Board of Supervisors is required to appropriate for actual expenditure the adopted Fiscal Year 2020 budget; and

WHEREAS, 15.2-2506 and §21.1-94 of the Code of Virginia indicate that the Board of Supervisors may make annual, semiannual, quarterly or monthly appropriations for contemplated expenditures; and

WHEREAS, the Board of Supervisors desires to make a monthly appropriation for capital expenditures;

NOW, THEREFORE, BE IT RESOLVED on this 18th day of December, 2019, that the Madison County Board of Supervisors hereby appropriates the Fiscal Year 2020 Adopted Capital Budget for November 2019 in the amounts specified for each fund contained in said budget; with such appropriations summarized below:

General Operations	\$ 34,080
School Operations	-
County Capital Projects Fund	-
School Capital Projects Fund	<u>34,080</u>
Total Capital Appropriations	\$ 68,160

The intent of this resolution is to amend and supersede Resolution #2019-18 adopted by the Madison County Board of Supervisors on November 26, 2019.

3. Amended Criglersville Museum House Lease for Madison County Historical Society, Inc.

Supervisor Hoffman moved that the Board authorize the Chairman to sign an amendment to the September 12'2017 lease to the Madison County Historical Society, Inc., for the Criglersville Museum House as proposed, allowing for a payment of \$150 per election to the Historical Society, subject to non-substantive changes approved by the County Attorney, seconded by Supervisor McGhee. Aye: *Aye: Foster, Weakley, McGhee, Hoffman. Nay: (0). Absent: Jackson.*

4. Discussion: Pay and Classification Plan Comments (Jackson)

After a brief recess, Chairman Jackson joined the meeting by telephone. By consensus, discussion on the proposed pay and classification plan was deferred to the January 14 Board meeting.

The Board recessed until 6:00 PM at which time Supervisor Jackson entered the meeting in person.

5. Public Safety Radio Project (6:00 p.m.)

After presentations on a proposed public safety radio system were given by Jeremy Thomas, Motorola Solutions, Inc. and Director of Emergency Communications, Brian Gordon, a public hearing on the proposed system was opened.

- Carty Yowell came forward to ask for comments by Radar Finks on the history and need for the system, and the desirability of radio communications inside school buildings.

Mr. Finks provided a history of public safety radio communications in the County and indicated that he endorsed the project as a much-needed system for the County's first responders.

Charlie Sheads came forward to question the financing aspect of the proposed project.

Steve Hoffman came forward and expressed his thoughts on the need for the proposed system.

With there being no further comments brought forth, the public hearing session was closed.

The following actions were taken to support the radio project:

a. Capital Budget Appropriation - Resolution #2019-20 (\$1,283,092): Supervisor Hoffman made a motion that was seconded by Supervisor Foster to approve Resolution # 2019-20, having the effect of providing \$1,283,092 in funding for the public safety radio and administrative building consolidation project, seconded by Supervisor Foster.

Aye: Foster, Jackson, Weakley, McGhee, Hoffman. Nay: (0).

The resolution read as follows:

RESOLUTION # 2019-20
RESOLUTION TO APPROPRIATE THE FISCAL YEAR 2020 MADISON COUNTY CAPITAL BUDGET FOR
DECEMBER 2019

WHEREAS, on May 14, 2019 the Madison County Board of Supervisors adopted a Capital Budget for Madison County for Fiscal Year 2020 in the amount of \$5,575,682; and

WHEREAS, the Fiscal Year 2020 Adopted Capital Budget includes school operations and capital funding for the Madison County School Division equaling \$604,105; and

WHEREAS, the Board of Supervisors is required to appropriate for actual expenditure the adopted Fiscal Year 2020 budget; and

WHEREAS, 15.2-2506 and §21.1-94 of the Code of Virginia indicate that the Board of Supervisors may make annual, semiannual, quarterly or monthly appropriations for contemplated expenditures; and

WHEREAS, the Board of Supervisors desires to make a monthly appropriation for capital expenditures;

NOW, THEREFORE, BE IT RESOLVED on this 18th day of December, 2019, that the Madison County Board of Supervisors hereby appropriates the Fiscal Year 2020 Adopted Capital Budget for December 2019 in the amounts specified for each fund contained in said budget; with such appropriations summarized below:

General Operations

\$ 1,283,092

School Operations	-
County Capital Projects Fund	1,283,092
School Capital Projects Fund	-
Total Capital Appropriations	<u>\$ 2,566,184</u>

b. Supplement 20-23:

- i. Public Safety Radio Project Down Payment (\$1,242,496)
- ii. Architect for 414 N. Main Street (\$95,000)
- iii. Radio consultant contract adjustment (\$6,573)

Supervisor Foster moved that the Board approve FY 20 Supplement #23, having the effect approve FY20 Supplement #23 having the effect of providing \$60,977.40 for the public safety radio and administrative building consolidation project, seconded by Supervisor McGhee. *Aye: Foster, Jackson, Weakley, McGhee, Hoffman. Nay: (0).*

c. Refunding Resolution (#2019-21): Supervisor McGhee moved that the Board approve Resolution #2019-21 to approve the proposed bond refunding resolution, expressing the Boards intent to finance the issuance of public safety radio project indebtedness and to facilitate reimbursement of outlays that occur prior to said financing, seconded by Supervisor Foster. *Aye: Foster, Jackson, Weakley, McGhee, Hoffman. Nay: (0).*

The resolution read as follows:

**RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, VIRGINIA,
EXPRESSING THE INTENT TO FINANCE THE ISSUANCE OF CERTAIN INDEBTEDNESS AND TO
FACILITATE REIMBURSEMENT OF OUTLAYS THAT OCCUR PRIOR TO SAID FINANCING.
RESOLUTION #2019-21**

WHEREAS, the Board of Supervisors (the “Board”) of Madison County, Virginia (the “County”) intends to finance certain capital infrastructure projects of the County including design, installation and equipping of a new Public Safety Radio System, all together with administrative and financing costs and all for use by Madison County in furtherance of its governmental purposes (collectively, the “Project”); and

WHEREAS, the County seeks to issue indebtedness to finance costs of all or a portion of the Project (including, if necessary or desirable, capitalized interest to the extent permitted by federal and state law), through one or more bonds, on a tax-exempt or taxable basis as deemed necessary or in the best interests of thereof, in an amount to be determined to accomplish such funding but nevertheless in an amount not to exceed \$1,242,496;

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, VIRGINIA:

To the extent necessary, this Resolution shall constitute a declaration of intent under Treas. Reg. §1.150-2 (the “Reimbursement Regulations”) promulgated under the Internal Revenue Code of 1986, as amended, for the Project, and each of the County Administrator and the Chairman of the Board, acting singly, is hereby authorized to take any additional action with respect to this declaration of official intent to assure compliance with the Reimbursement Regulations.

Supervisor McGhee moved that the Board authorize the Chairman to execute a Communications System and Services Agreement with Motorola Solutions, Inc., as procured through a cooperative arrangement with Fluvanna County and having the effect of contracting for the installation of a public radio system, seconded by Supervisor Foster. *Aye: Foster, Jackson, Weakley, McGhee, Hoffman. Nay: (0)*

d. Authorization to Execute Contract Documents: The County Administrator advised that the contract documents for the procurement with Motorola and the long-term service agreement. A payment schedule is included that calls for a twenty-five percent (25%) down payment on the non-handheld devices. Once the cost of the school project is finalized, this will frame everything for the financial advisor regarding a total amount that will need to be borrowed.

Supervisor McGhee moved that the Board authorize the Chairman to execute a Communications System and Services Agreement with Motorola Solutions, Inc., as procured through a cooperative arrangement with Fluvanna County and having the effect of contracting for the installation of a public radio system, seconded by Supervisor Foster. *Aye: Foster, Jackson, Weakley, McGhee, Hoffman. Nay: (0).*

6. The County Attorney presented a proposed lease purchase contract for the Moore Building.

Supervisor Weakley moved that the Board instruct the County Attorney to modify the document and authorize the Chairman to sign it, seconded by Supervisor Foster.

Supervisor McGhee suggested that purchase of the Moore Building be conditioned on the sale of the Thrift Road property.

After further discussion, Supervisor Weakley amended his motion to include a condition that the Thrift Road property be sold as soon as possible, seconded by Supervisor Foster. *Aye: Foster, Jackson, Weakley, McGhee. Nay: Hoffman.*

7. Public Comment

The Chair called for public comments. The following individual(s) provided comment(s):

- Mike Fisher came forward to express concern about the spending approved for the public safety radio system and the Moore Building and the impact of that on the real estate tax rate.
- *Supervisor Weakley advised that a financial advisor had been procured to help the County through the financing of this and other endeavors.*

The Chair thanked Supervisor Weakley for his eight years of service on the Board, and Supervisor Weakley made some farewell remarks.

8. Closed Session:

Supervisor Foster moved that the Board convene in a closed session pursuant to Virginia Code Section(s):

(A) 2.2-3711(A)(3) for discussion on the disposition of the Criglersville Elementary School property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board of Supervisors; and

(B) 2.2-3711(A)(1) for discussion on the performance of the County Administrator.

Seconded by Supervisor Weakley. *Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).*

Supervisor Foster moved that the Board reconvene in open session, seconded by Supervisor Hoffman. *Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).*

Supervisor Foster moved to certify by roll-call vote that only matters lawfully exempted from open meeting requirements, pursuant to Virginia Code Sections 2.2-3711(A)(1) and (7), only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting, seconded by Supervisor Weakley. *Aye: Jackson, Foster, Weakley, McGhee, Hoffman. Nay: (0).*

Supervisor Foster left the meeting during a discussion with County Planner Ligon Webb on potential future uses of the Criglersville Elementary School property.

With no further action being required, at 8:16 p.m., Supervisor McGhee moved that be adjourned, seconded by Supervisor Weakley. *Aye: Jackson, Weakley, McGhee, Hoffman. Nay: (0). Absent: Foster.*

R. Clay Jackson, Chairman
Madison County Board of Supervisors

Clerk of the Board of the Madison County Board of Supervisors

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Adopted on: January 14, 2020

Copies: Board of Supervisors, County Attorney & Constitutional Officers



Agenda
Continued Meeting
Madison County Board of Supervisors
Wednesday, December 18, 2019 at 5:00 p.m.
(Continued from December 10, 2019)
Madison County Administration Building Auditorium
414 N. Main Street
Madison, VA 22727

Call to Order, Pledge of Allegiance & Moment of Silence

Determine Presence of a Quorum / Adopt Agenda

Public Comment

1. Consideration: Supplement 20-22 for IT Budget Appropriation (\$97,668) (Costello)
2. Discussion: Pay and Classification Plan Comments (Jackson)
3. Consideration: Moore Building Purchase (Jackson)
4. Closed Session: Criglersville Property Negotiation, County Administrator's Annual Evaluation

Public Safety Radio Project (6:00 PM)

5. Presentations
6. Public Hearing
7. Consideration:
 - a. Capital Budget Appropriation - Resolution #2019-20 (\$1,283,092)
 - b. Supplement 20-21
 - i. Public Safety Radio project down payment (\$1,242,496)
 - ii. Architect for 414 N. Main Street (\$95,000)
 - iii. Radio consultant contract adjustment (\$6,573)

- c. Refunding Resolution
- d. Authorization to Execute Contract Documents

Public Comment**Adjourn**

The Planning Commission is scheduled to convene in the Board Auditorium at 7:00 PM.